

11/21/01



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**UTILITY PATENT
APPLICATION
TRANSMITTAL**

*(Only for nonprovisional
applications under 37 CFR 1.53(b))*

PATENT

Attorney Docket No. A34535-A-PCT-USA-A (070050.1866)
First Named Inventor Paul B. Fisher
Customer No. 21003
Total Pages: 59



BY EXPRESS MAIL - Label No. EF321682909US

November 21, 2001

Box: Patent Application

U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, Virginia 22202

Sir:

Enclosed herewith for filing is a patent application of Paul B. Fisher entitled "USE OF A
MELANOMA DIFFERENTIATION ASSOCIATED GENE (mda-7) FOR REVERSING A
CANCEROUS PHENOTYPE" which includes:

<input checked="" type="checkbox"/> Specification	<u>40</u> Total Pages
<input checked="" type="checkbox"/> Background of the Invention; Summary of the Invention; Brief Description of the Figures; Detailed Description of the Invention; Experiments and Examples	<u>29</u> pages
<input checked="" type="checkbox"/> Claims	<u>1</u> pages
<input checked="" type="checkbox"/> Abstract	<u>1</u> page
<input checked="" type="checkbox"/> Drawings	<u>6</u> sheets
<input checked="" type="checkbox"/> formal Figs. 1-6	
<input type="checkbox"/> informal	
<input checked="" type="checkbox"/> Combined Declaration and Power of Attorney	<u>3</u> pages
<input type="checkbox"/> Newly executed (original or copy)	
<input checked="" type="checkbox"/> Copy from a prior application Serial No. 09/251,124	

☒ If a continuing application, check appropriate box:

☒ Continuation ☐ Divisional ☐ Continuation-In-Part
of prior application Serial No. 09/251,124, filed February 16, 1999, which is a divisional
application of International Patent Application PCT/US97/14548, filed August 15, 1997, which is
a continuation-in-part of U.S. Patent Application No. 08/696,753, filed June 16, 1996, now U.S.
Patent No. 5,710,137.

- [X] Amend the specification by inserting, before the first line, the following sentence:
"This is a [X] continuation [] divisional [] continuation-in-part
of prior application Serial No. 09/251,124, filed February 16, 1999, which is a divisional
application of International Patent Application PCT/US97/14548, filed August 15, 1997, which is
a continuation-in-part of U.S. Patent Application No. 08/696,753, filed June 16, 1996, now U.S.
Patent No. 5,710,137."
- [X] The entire disclosures of the prior applications are considered as being part of the disclosure of the
accompanying application and are hereby incorporated by reference therein.
- [X] An Assignment of the invention to The Trustees of Columbia University in the City of New York
[] is attached. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
[] will follow.
[X] has been filed in prior application Serial No. 09/251,124 and recorded at Reel 009999 Frames
0969-0971 on June 7, 1999.
- [X] Small Entity Statement(s)
[] is/are attached.
[X] Small Entity Statement filed in prior application. Status still proper and desired.
[] will follow.
- [] Information Disclosure Statement _____ pages
[] PTO Form 1449. _____ pages
[] Copy of newly cited IDS Citation is enclosed. _____ pages
[] Copies of previously considered IDS Citations are not required.
- Also accompanying this patent application are:
[] Application Data Sheet
[] CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
[] Nucleotide and/or Amino Acid Sequence Submission
[X] Preliminary Amendment 3 pages
[] Non-Publication Request
[X] Return Receipt Postcard
[X] Other: Sequence Listing/Declaration (including 2 copies) 7 pages

[X] The filing fee has been calculated as shown below:

FOR	(Col. 1) No. Filed	(Col. 2) No. Extra	Small Entity Rate	Small Entity Fee	OR	Other Than A Small Entity Rate	Small Entity Fee
Basic Fee				\$370.00			\$0.00
Total Claims	3	-20 = 0	x 9 =	\$0.00	x 18 =		\$0.00
Ind. Claims	3	-3 = 0	x 42 =	\$0.00	x 84 =		\$0.00
Multiple Dependent Claim			+ 140 =	\$0.00	+ 280 =		\$0.00
			Total	<u>\$370.00</u>			<u>\$0.00</u>

* If the difference in Col. 1 is less than zero, enter "0" in Col. 2.

Fee Payment:

☒ Enclosed

<input checked="" type="checkbox"/>	Basic filing fee	<u>\$370.00</u>
<input type="checkbox"/>	Recording Assignment [\$40.00; 37 CFR 1.21(h)]	\$0.00
	Total Fees Enclosed	<u>\$370.00</u>

☒ A check in the amount of \$370.00 to cover filing fee is enclosed.

☐ Please charge our Deposit Account No. 02.4377 in the amount of _____. Two copies of this sheet are enclosed.

Foreign Priority:

☐ Priority is claimed of application Serial No. _____ filed _____.

☐ Submission of Priority Document Certified Copy of priority document(s) of Appln No. _____, filed _____.

☐ has been filed in the parent application S/N _____.

☐ is/are attached.

☐ will follow.

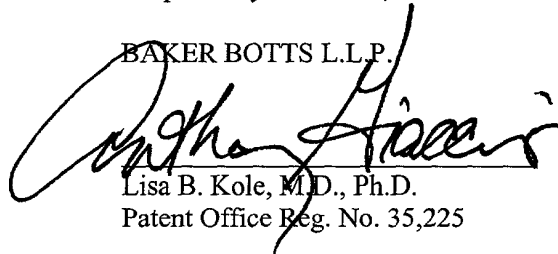
☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR §§ 1.16, 1.17, and 1.21(h) associated with this communication or credit any overpayment to Deposit Account No. 02-4377. Two copies of this sheet are enclosed.

☒ The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 02-4377. Two copies of this sheet are enclosed.

☒ The Commissioner is conditionally authorized to charge payment of any fees associated with this application or credit any overpayment to Deposit Account No. 02-4377. Two copies of this sheet are enclosed.

Respectfully submitted,

BAKER BOTTS L.L.P.



Lisa B. Kole, M.D., Ph.D.
Patent Office Reg. No. 35,225

Anthony Giaccio
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Enclosures

NY02:357352.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Paul B. Fisher
Serial No. : Not Yet Assigned Examiner : Not Yet Assigned
Filed : November 21, 2001 Group Art Unit: Not Yet Assigned
For : USE OF A MELANOMA DIFFERENTIATION ASSOCIATED GENE
(mda-7) FOR REVERSING A CANCEROUS PHENOTYPE

**SUBMISSION OF SEQUENCE LISTING
AND DECLARATION**

BY EXPRESS MAIL – Label No. EF321682909US

November 21, 2001

U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, Virginia 22202

Sir:

Submitted herein are paper and computer-readable copies of the Sequence Listing
for the above-captioned application.

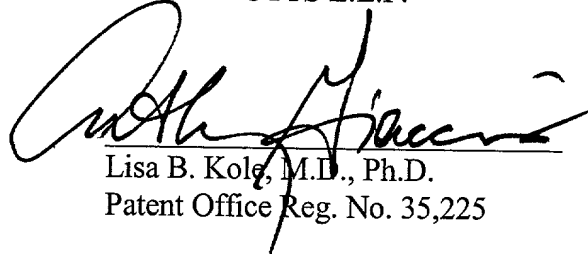
I hereby state that the content of the paper and computer readable copies of the
Sequence Listing submitted in accordance with 37 C.F.R. § 1.821(c) and (e), respectively, are the
same.

I hereby state that the content of the paper and computer readable copies of the
Sequence Listing, submitted herewith in accordance with 37 C.F.R. § 1.82(f), does not include
new matter.

It is believed that no fee is required in connection with this communication. However, if any fee is required in connection with this communication, the Commissioner is hereby authorized to charge payment of any such fee to Deposit Account No. 02-4377. Two copies of this communication are enclosed.

Respectfully submitted,

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Enclosures

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